

### **AMENDMENTS TO THE CLAIMS**

This listing of claims replaces all prior versions of claims in the application.

1. (Currently Amended): An engine revolution controller of a working machine in which the engine revolution speed is adjusted by operation of a throttle opening operating device without depending on mechanical governor means to cope with load variation, the engine revolution controller comprising ignition timing determining means which lag the ignition timing of an engine ignition device to suppress the engine revolution speed from further increasing in a region where the engine revolution speed is equal to or higher than a predetermined revolution speed, thereby substantially keeping the predetermined revolution speed without operating the throttle opening operating device with respect to the load variation of the engine;

wherein an upper limit of the throttle opening is limited to a value closer to a close side than a fully opened position.

2. (Cancelled).

3. (Currently Amended): The engine revolution controller of the working machine according to claim [[2]] 1, wherein the upper limit of the throttle opening is set such that a no load operating revolution speed of the engine is close to the predetermined revolution speed.

Amendment

Application No. 10/581,209

Attorney Docket No. 062523

4. (Currently Amended): The engine revolution controller of the working machine according to any one of claims 1 or [[to]] 3, wherein the engine ignition device is a digital control type ignition device which manages ignition timing in correspondence with the engine revolution speed.